



CITY OF DURHAM | NORTH CAROLINA

Date: March 28, 2011

To: Thomas J. Bonfield, City Manager

Through: Theodore L. Voorhees, Deputy City Manager
Ed Venable, Manager of Engineering and Stormwater Services

From: Robert N. Joyner, Assistant Engineering and Stormwater Services Manager

Subject: Agenda Item – License Agreement with CREE, Inc

Executive Summary

CREE, Inc proposes to install underground electrical duct bank to serve CREE Silicon North Site, a 400,850-square-foot light manufacturing plant and support buildings on approximately 38-acre site, located on Silicon Drive, north of the intersection with Chin Page Road (see attached vicinity map).

Recommendation

The Department of Public Works recommends that the City Council authorize the City Manager to enter into a license agreement with CREE, Inc.

Background

A license agreement is required when an entity proposed to install an item the City does not maintain in public right of way.

Issues/Analysis

Any feature in the right-of-way has the potential to pose a hazard to the public, and to increase liability to the licensee. To the maximum extent allowed by law, Licensee shall indemnify and save harmless Indemnitees from and against all Charges that arise in any manner from, in connection with, or out of this license.

Alternatives

City Council can choose not to approve the request.

Financial Impact

The Developer shall bear all the cost of the improvements and there shall be no participation in the cost by the City.

SDBE Summary

The SDBE Summary is not applicable for this item.